IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Revn. No. 690 of 2006

DATE OF DECISION : 12.10.2006

Daljit Singh

.... PETITIONER

Versus

State of Punjab

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Ashu Kaushik, Advocate, for the petitioner.

Mr. N.S. Gill, AAG, Punjab.

* * *

Petitioner Daljit Singh has filed this revision petition against the judgment dated 7.3.2006, passed by Addl. Sessions Judge, Sangrur, whereby the appeal filed by him against the judgment of his conviction and order of sentence dated 22.9.2004, passed by Additional Chief Judicial Magistrate, Sangrur, has been dismissed.

2. The petitioner was tried in case FIR No. 132 dated 6.7.1995 registered at Police Station Kotwali Sangrur under Sections 420, 468, 465 and 471 IPC and vide judgment and order dated 22.9.2004, passed by the trial court, he was convicted and sentenced to undergo R.I. for a period of three years and to pay a fine of Rs. 2,000/- and in default of payment of fine, to further undergo R.I. for eight months under Section 420 IPC; to undergo R.I. for a period of two years and to pay a fine of Rs. 2,000/- and in default of payment of fine to further undergo R.I. for six months under Section 468 IPC and to undergo R.I. for a period of one year and to pay a fine of Rs. 1,000/- and in default of payment of fine to further undergo R.I. for two months under Section 465. All the substantive sentences were ordered to run concurrently. Aggrieved against the same, the petitioner filed appeal, which has been dismissed by the appellate court. Hence, this revision petition has been filed by the petitioner.

3. I have heard counsel for the parties and gone through the impugned judgment.

4. The allegation against the petitioner is that he got enrolled himself as SPO on the basis of forged matriculation certificate, which he had got prepared from another State. In order to prove its case, the prosecution examined seven witnesses. The trial court, after appreciating the evidence available on record, convicted and sentenced the petitioner under Sections 420, 468, 465 IPC. The appellate court has also upheld the conviction and sentence of the petitioner. Counsel for the petitioner has not been able to point out any illegality or infirmity in the conviction recorded by the courts below. Faced with this situation, he submitted that the petitioner is first offender and lenient view be taken against him regarding the quantum of sentence.

5. In view of the above, conviction of the petitioner recorded by both the courts below is upheld. However, keeping in view the facts that the petitioner is first offender, faced the agony of trial for seven years and the incident is more than eleven years old, I deem it appropriate to reduce the sentence of imprisonment from three years under Section 420 IPC to two years as that will meet the ends of justice. Ordered accordingly. It is made clear that the sentence of imprisonment under Sections 468 and 465 IPC and the sentence of fine shall remain intact.

6. With the aforesaid modification in the order of sentence, this revision petition stands dismissed.

October 12, 2006 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**